

DEPARTMENT OF PLANNING
STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: September 17, 2009

ZRTD 2009-0002, Lina Al-Bassam Property

DECISION DEADLINE: October 31, 2009

ELECTION DISTRICT: Potomac

PROJECT PLANNER: Ginny Rowen

EXECUTIVE SUMMARY

Nawaf Al-Bassam of Vienna, Virginia has submitted an application to rezone approximately 1.92 acres from the PD-IP (Planned Development – Industrial Park) zoning district under the 1972 Zoning Ordinance to the PD-IP (Planned Development – Industrial Park) zoning district under the Revised 1993 Zoning Ordinance in order to permit the development of all principal and accessory uses under the Revised 1993 Zoning Ordinance. The property is located within the Route 28 Taxing District. The property is situated on the west side of Cascades Parkway, south of Maries Road, and north of Woodland Road. The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Sterling Community)), which designate this area for Keynote Employment development and which recommend a Floor Area Ratio (FAR) up to 1.0. **Staff notes that the application has been advertised for the October 13, 2009 Board public hearing.**

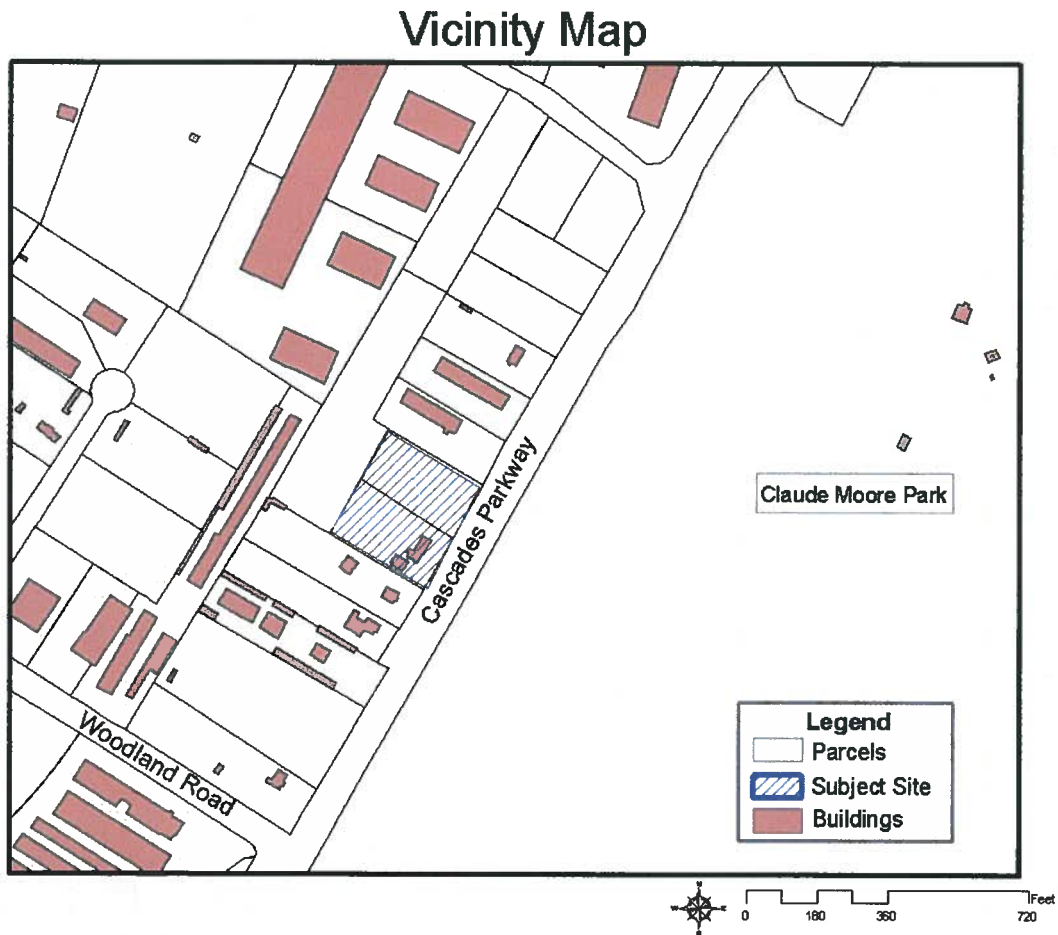
RECOMMENDATIONS

The application is consistent with the comprehensive plan policies and staff recommends approval of the proposal.

SUGGESTED MOTIONS

1. I move that the Planning Commission forward ZRTD 2009-0002, Lina Al-Bassam Property, to the Board of Supervisors with a recommendation of approval, subject to the draft Proffer Statement dated August 17, 2009, and with the Findings contained in the September 17, 2009 Staff Report.
2. I move that the Planning Commission forward ZRTD 2009-0002, Lina Al-Bassam Property, to a work session for further discussion.

3. I move that the Planning Commission forward ZRTD 2009-0002, Lina Al-Bassam Property to the Board of Supervisors with a recommendation of denial based on the following findings:
-
-
-



Directions from Leesburg: Proceed east on Route 7 to Cascades Parkway. Proceed south on Cascades Parkway to the property on the right at 21615 Cascades Parkway (south of Maries Road and north of Woodland Road).

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I. APPLICATION INFORMATION

APPLICANT: Nawaf Al-Bassam
PO Box 1922
Vienna, Virginia 22183
202-460-5240

REPRESENTATIVE: same as above

APPLICANT'S REQUEST Zoning map amendment from PD-IP (1972 Zoning Ordinance) to PD-IP (Revised 1993 Zoning Ordinance). Application accepted for review on June 24, 2009.

LOCATION 21615 Cascades Parkway (west side of Cascades Parkway between Maries Road and Woodland Road)

TAX MAP/PARCEL #s Tax Map Numbers /81/////////36A and /81/////////36B
MCPI #s PIN# 031-40-2592 and PIN# 030-10-3107

ZONING PD-IP (Planned Development – Industrial Park)

ACREAGE OF SITE approximately 1.92 acres

SURROUNDING ZONING/ LAND USES

	ZONING	PRESENT LAND USES
North	PD-IP	(Industrial Park)
South	PD-IP	(Industrial Park)
East	R-1	(Residential)
West	PD-IP	(Industrial Park)

commercial / industrial
commercial / industrial
Cascades Parkway / Claude Moore Park
commercial / industrial

II. SUMMARY OF DISCUSSION

Topic Area	Issues Examined and Status
Comprehensive Plan	<ul style="list-style-type: none"> The proposal complies with the <u>Revised General Plan</u> land use policies, which support the conversion to the current zoning regulations. Status: no outstanding issues
Zoning	<ul style="list-style-type: none"> Approval of the application will permit the development of all permitted and accessory uses listed in the <u>Revised 1993 Zoning Ordinance</u> for PD-IP zoning districts. Status: no outstanding issues Applicant has made minor revisions to the CDP in accordance with staff recommendations. Status: no outstanding issues
Transportation	<ul style="list-style-type: none"> Board of Supervisors has adopted a streamlined process for zoning conversions in the Route 28 Taxing District. Surrounding road network is operating at acceptable levels of service. Status: no outstanding issues
<p>Proffers – The applicant has submitted a draft proffer statement that is currently under County review. The applicant will be able to develop any permitted uses in the PD-IP zoning district on the subject site.</p>	

Applicable Policy or Ordinance Section
<u>Revised General Plan</u>
Chapter 4, Economic Development Policy 14
<u>Revised Countywide Transportation Plan</u> (CTP)
<u>Revised 1993 Zoning Ordinance</u> – PD-IP (Industrial Park) Section 4-500

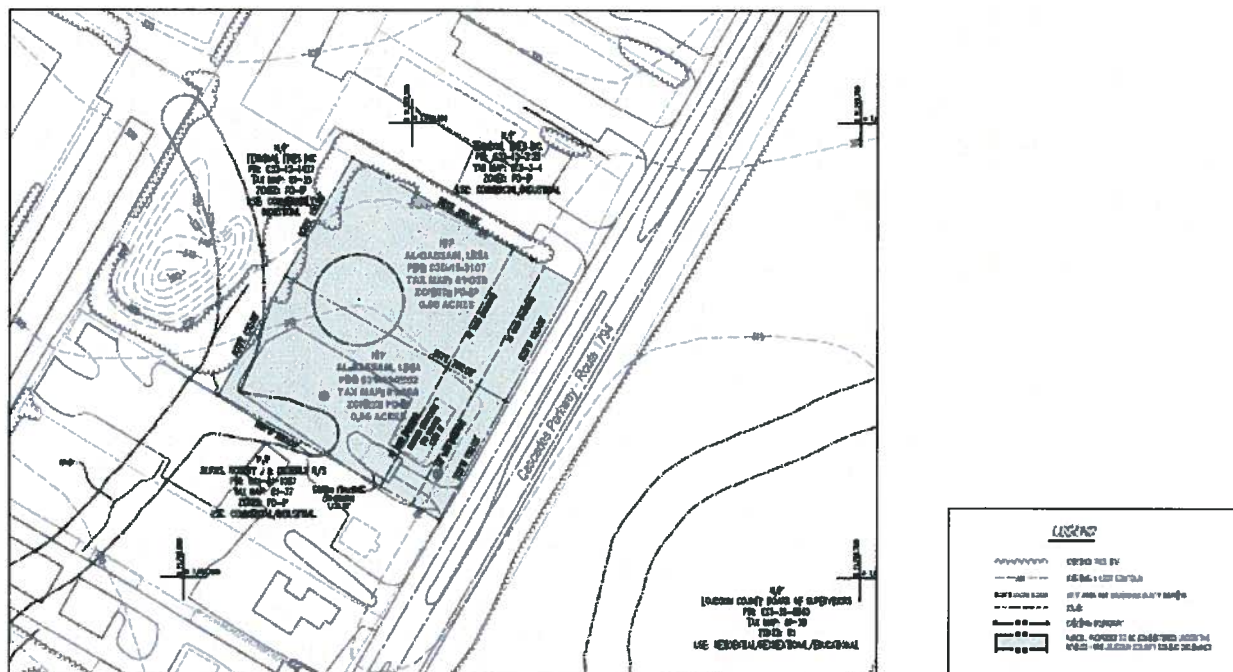
III. FINDINGS

1. The conversion of this property to the Revised 1993 Zoning Ordinance would be more consistent with the land use policies contained in the Revised General Plan, which recommend development of regional office, research and development uses and accessory commercial uses.
2. The application conforms to the policies contained in the Revised General Plan.
3. The proposed rezoning complies with the requirements of the Revised 1993 Zoning Ordinance.

IV. PROJECT REVIEW

A. Context

This is a request to rezone approximately 1.92 acres from the PD-IP (Planned Development – Industrial Park) zoning district under the provisions of the 1972 Zoning Ordinance to the PD-IP zoning regulations under the Revised 1993 Zoning Ordinance. The subject site consists of two lots on the west side of Cascades Parkway located between Maries Road to the north and Woodland Road to the south. There are two existing structures located on the southern lot which are currently used as an UHaul facility. UHaul rental trucks are parked behind the existing structures at the rear of the property. The northern lot is undeveloped. The western half of the site contains hydric soils and there is a limited area of wetlands in the central portion of the site. Vegetation exists along the rear property line as depicted on the concept plan (see cdp - sheet 3).



The property is located within the Route 28 Taxing District. The purpose of the Tax District is to generate funds for large-scale transportation improvements, such as grade-separated interchanges in the District. Approval of the rezoning will allow the development of all principal and accessory uses permitted under the PD-IP regulations as contained in the Revised 1993 Zoning Ordinance.

On October 7, 2008, the Board of Supervisors adopted a streamlined review process to facilitate conversions to the most current zoning regulations. On July 7, 2009, the Board adopted a resolution that zoning conversion applications will not be expected to make additional transportation improvements / contributions over and above the increased taxes already provided by properties in the Route 28 Tax District (see adopted Board of Supervisors resolution A-3).

The properties to the north, south, and west are currently developed with commercial / industrial uses. Claude Moore Park is situated to the east of the site (across Cascades Parkway). (See site photograph below.)



B. Summary of Outstanding Issues

There are no outstanding staff issues with this application.

C. Overall Analysis

COMPREHENSIVE PLAN

The site is governed by the policies of the Revised General Plan. It is located within the Sterling Community in the Suburban Policy Area and is designated for Keynote Employment development.

The Revised General Plan provides policy direction encouraging property owners within the Route 28 Taxing District to convert from the 1972 Zoning Ordinance to the Revised 1993 Zoning Ordinance in order to provide consistent development patterns within the District. The Plan states that the County will look at incentives to encourage Route 28 Tax District landowners to opt into the revised zoning ordinance. The proposed conversion to the most current zoning ordinance is appropriate for this Keynote Employment designation. There are no outstanding staff issues.

ZONING

The applicant is requesting to rezone a total of approximately 1.92 acres from PD-IP (Industrial Park) under the 1972 Zoning Ordinance to PD-IP under the provisions of the Revised 1993 Zoning Ordinance. Initially, staff requested concept plan changes (update title block, show existing structures, provide setback information, include adjacent uses, and correct notes) and changes to the draft Proffers (provide notary information, correct property identification numbers, and correct dates). The applicant has submitted a revised Proffer Statement and Concept Plan incorporating all of the recommended changes. The draft Proffers are currently under County Attorney review. There are no outstanding staff issues.

TRANSPORTATION

As part of the streamlined review process for zoning conversions in the Route 28 Tax District, the applicant has submitted a generalized traffic study that provides current and future conditions of major roads and intersections throughout the Tax District.

The subject site is located on the west side of Cascades Parkway, south of Nokes Boulevard and north of Woodland Road. Cascades Parkway is a 4-lane, controlled access, median-divided major collector road. The subject site currently maintains an existing right-in, right out access point onto Cascades Parkway. The Countywide Transportation Plan calls for Cascades Parkway to remain a 4-lane controlled access facility. The traffic study shows that the Cascades Parkway / Nokes Boulevard intersection is currently operating, and will continue to operate, at acceptable levels of service. There are no outstanding staff issues.

D. ZONING ORDINANCE CRITERIA FOR APPROVAL

If the application is for a reclassification of property to a different zoning district classification on the Zoning Map, the applicant shall address all the following in its statement of justification or plat unless not applicable. The Planning Commission shall give reasonable consideration to the following matters:

Standard *Whether the proposed zoning district classification is consistent with the Comprehensive Plan.*

Analysis The application is consistent with the Revised General Plan, which designates this area for Keynote Employment development. The Revised 1993 Zoning Ordinance permits the development of office uses subject to development criteria.

Standard *Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.*

Analysis The proposal would allow the development of any permitted and accessory uses listed in the Revised 1993 Zoning Ordinance for PD-IP districts. The surrounding properties to the north, west, and south are developed with commercial / industrial uses. The property to the east (across Cascades Parkway) is Claude Moore Park. The proposal would be compatible with the surrounding light industrial uses.

Standard *Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.*

Analysis The site is currently served by public sewer and a private well. There are adequate transportation facilities to serve the site.

Standard *The effect of the proposed rezoning on the County's ground water supply.*

Analysis No concerns have been identified regarding the groundwater supply. The site is served by public water and sewer facilities.

Standard *The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.*

Analysis No concerns have been identified regarding the structural capacity of the soils.

Standard *The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to*

mitigate the impact of through construction traffic on existing neighborhoods and school areas.

Analysis The subject site is currently zoned PD-IP under the provisions of the 1972 Zoning Ordinance. Approval of the application will allow the development of all permitted and accessory uses under a PD-IP (Industrial Park) designation under the Revised 1993 Zoning Ordinance.

Standard *Whether a reasonably viable economic use of the subject property exists under the current zoning.*

Analysis A reasonably viable economic use of the property exists under the current PD-IP zoning designation.

Standard *Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.*

Analysis The proposal will allow the development of all PD-IP uses under the Revised 1993 Zoning Ordinance. Additional uses are permitted under the current regulations.

Standard *Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.*

Analysis Approval of the application will allow the development of all PD-IP uses under the Revised 1993 Zoning Ordinance.

Standard *Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the county and the capacity of existing and/or planned public facilities and infrastructure.*

Analysis Approval of the application will allow the development of all PD-IP uses. Office uses are permitted by-right under the Revised 1993 Zoning Ordinance.

Standard *The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.*

Analysis Not applicable to this application.

V. ATTACHMENTS		PAGE NUMBER
1. Review Agency Comments		
a. Community Planning	7/13/09	A-1
b. Zoning Administration	8/13/09, 7/17/09	A-4
c. Transportation	7/22/09	A-8
d. VDOT	7/14/09	A-11
2. Disclosure of Real Parties in Interest / Reaffirmation		A-12
3. Statement of Justification		A-18
4. Applicant Responses		A-21
5. Draft Proffers / Concept Development Plan		A-24, CDP attached

County of Loudoun
Department of Planning

MEMORANDUM

DATE: July 13, 2009

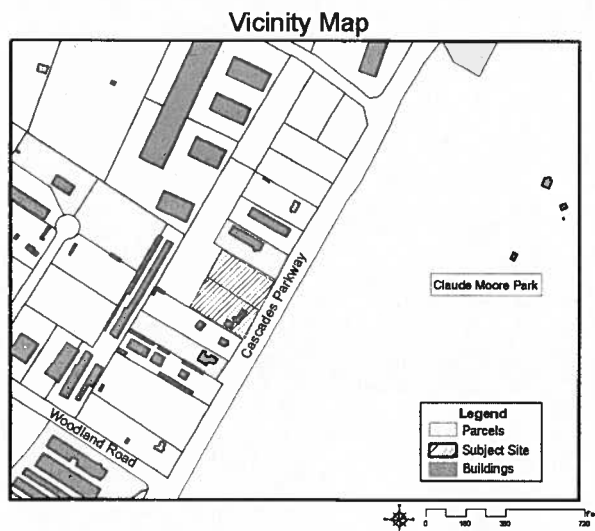
TO: Ginny Rowen, Project Manager
Land Use Review

FROM: Kelly Williams, Planner
Community Planning

SUBJECT: ZRTD 2009-0002, Lina Al-Bassam

BACKGROUND

Nawaf and Lina Al-Bassam, request a Zoning Map Amendment to convert two parcels containing approximately 1.92 acres from PD-IP (Planned Development – Industrial Park) under the 1993 Zoning Ordinance to PD-IP under the Revised 1993 Zoning Ordinance. The property is contained within the Route 28 Highway Improvement Transportation District (Route 28 Tax District).



The property is located on the west side of Cascades Parkway north of the intersection of Cascades Parkway and Woodland Road. The property is surrounded on the north, west and south, by properties zoned PD-IP. The property to the east across Cascades Parkway is zoned R-1, Residential and is the County's Claude Moore Park property. A review of Loudoun County GIS records indicates potential wetland areas. No floodplains or steep slopes are present.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is governed under the policies of the Revised General Plan, the Bicycle and Pedestrian Mobility Master Plan (BPMMP), the Countywide Transportation Plan (CTP), and the Eastern Loudoun Area Management Plan (ELAMP). Being newer than the ELAMP, the Revised General Plan supersedes the ELAMP when there is a policy conflict between the two (Revised General Plan, Relationship to Other County Planning

Attachment 1 A

A-1

Documents text, Chapter 1). The subject property is located in the Sterling Community of the Suburban Policy Area and is designated as a Keynote Employment Area.

ANALYSIS & RECOMMENDATION

The Revised General Plan provides policy direction encouraging property owners within the Route 28 Tax District to convert from the 1993 Zoning Ordinance to the Revised 1993 Loudoun County Zoning Ordinance in order to provide consistent development patterns within the District. The Plan states: "The County will look at developing incentives to encourage Route 28 Tax District landowners to opt into the revised zoning ordinance" (Revised General Plan, Chapter 4, Economic Development, Policy 14). As such, the proposed conversion to the most current Zoning Ordinance is appropriate.

The County's Predictive Wetlands Model indicates that wetlands may exist on a small portion of the site. The wetland areas have been delineated on the Zoning Concept plan. The County supports the federal goal of no net loss to wetlands (Revised General Plan, Chapter 5, River and Stream Corridor Resources Policies, Policy 23). It is recommended that the applicant make every effort to protect the wetlands to the greatest extent possible when developing the site.

Staff supports the proposed conversion.

cc: Julie Pastor, AICP, Director, Department of Planning
Cindy Keegan, AICP, Program Manager, Community Planning (via email)

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DRAFT

Policy Resolution Regarding Transportation Proffers for Zoning Conversion Applications

WHEREAS, the Loudoun County Board of Supervisors encourages properties in the Route 28 Tax District to “convert” from administration under the 1972 or 1993 Zoning Ordinances to the Revised 1993 Zoning Ordinance; and

WHEREAS, the Revised General Plan states that “The County will look at developing incentives to encourage Route 28 Tax District landowners to opt into the revised zoning ordinance;” and

WHEREAS, landowners in the Tax District pay an additional assessment on their properties and improvements to fund transportation improvements along Route 28; and

WHEREAS, the contributions by the Tax District to the road improvements have far exceeded expectations, so that Route 28 should be fully limited-access in Loudoun County by 2010; and

WHEREAS, the Board of Supervisors recognizes that converting to the revised zoning ordinance creates additional value for properties and increases the properties’ contributions to the Tax District; and

WHEREAS, at certain times during the review of zoning conversion applications, applicants have been requested to provide transportation improvements, and that negotiations over these requests have delayed the applicants’ anticipated timing for approval; and

WHEREAS, the Board of Supervisors wants to remove any potential impediments to a conversion application;

NOW, THEREFORE, BE IT RESOLVED, that the Loudoun County Board of Supervisors establishes a policy that zoning conversion applicants should not be requested to provide transportation improvements as a part of a strict zoning conversion application; and

BE IT FURTHER RESOLVED, that the Board of Supervisors will forward this resolution and policy statement to the Planning Commission for consideration during its review of zoning conversion applications; and

BE IT FURTHER RESOLVED, that the Board of Supervisors recommends that, to facilitate zoning conversion applications and should all staff issues be addressed, the Planning Commission take action on a zoning conversion application at its public hearing in order to facilitate the double-advertisement and quick disposition of such cases.

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: August 13, 2009

TO: Ginny Rowen, Project Manager, Department Of Planning

THROUGH: Marilee L. Seigfried, Deputy Zoning Administrator

FROM: John D. Kirby, Planner, Zoning Administration *J. for MLS*

CASE NUMBER AND NAME: ZRTD-2009-0002, Lina Al-Bassam

LCTM: /81/////////36A
/81/////////36B

MCPI: 031-40-2592-000
030-10-3107-000

PLAN SUBMISSION NUMBER: 2nd Submission

ZONING COMMENTS:

A. OTHER ISSUES:

ZRTD Comments:

1. On sheet 3 of 3 provide the required yards for parking and buildings per section 5-900(A)(10).
2. On sheet 3 of 3 remove the 15 ft. side and rear yards, which provide an unnecessary, constraint on the property that will prohibit development.
3. On sheet 3 of 3 correct the zoning tabulation to reflect the setbacks per section 5-900.
4. Update the plan date to reflect the current submission.

REVIEW OF PROFFER LANGUAGE

1. The proffers are incomplete; provide the notary information, owner warranty, and the signatures.

Attachment 1 B

A-4

2. Provide the property description based on the MCPI numbers and remove references to the property address, as one parcel does not have a physical address.
3. Remove reference to the address in the title and provide the property description based on the MCPI numbers.
4. Correct the title for the Pin numbers described in the proffer statement; MCIP is incorrect should be identified as MCPI.
5. The revision date on the plan needs to be updated to reflect the current submission and all references in the proffers should correspond to that plan revision date.
6. Provide consistent capitalization throughout the proffer statement when identifying application types. Currently, applications are referenced as "concept development Plan" and "concept development plan", "Zoning Map Amendment" and "zoning map amendment".
7. Under the "Concept Development Plan" heading of the Proffer Statement, revise the first sentence to state that the development of the property shall be in substantial conformance with sheets 1-3 of ZRTD-2009-0002.

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: July 17, 2009

TO: Ginny Rowen, Project Manager, Department Of Planning

THROUGH: Marilee L. Seigfried, Deputy Zoning Administrator

FROM: John D. Kirby, Planner, Zoning Administration *jd for MLS*

CASE NUMBER AND NAME: ZRTD-2009-0002, Lina Al-Bassam

LCTM: /81/////////36A
/81/////////36B

MCPI: 031-40-2592-000
030-103107-000

PLAN SUBMISSION NUMBER: 1st Submission

ZONING COMMENTS:

A. OTHER ISSUES:

Statement of Justification:

1. Please identify the Zoning Ordinance as the Revised 1993 Loudoun County Zoning Ordinance, not the revised 1993 Zoning Ordinance, throughout the Statement of Justification and the Zoning Map Amendment Application.

ZRTD Comments:

1. The title needs to be updated to identify the application number (ZRTD-2009-0002).
2. On Sheet 1 of 3 update general note 1 to include acreage and square footage for each lot.
3. On Sheet 3 include all existing elements such as entrances and buildings as part of the Concept Development Plan; include square footages.
4. On Sheet 3 identify all required yards and setbacks (parking & building) and include a note under tabulations identifying the yards and setbacks.

5. On sheets 2 and 3 include the adjacent land uses on each individual parcel.
6. On Sheet 3 accurately depict the wetlands per Loudoun County mapping.

REVIEW OF PROFFER LANGUAGE

1. No proffers have been submitted with this application.

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: July 22, 2009

TO: Ginny Rowen, Project Manager, Department of Planning

FROM: George Phillips, Senior Transportation Planner

SUBJECT: ZRTD 2009-0002, Lina Al-Bassam

Location: 21615 Cascades Parkway, on the Westside of Cascades Parkway,
between Maries Road (Route 638) and Woodland Road (Route 679)
(Attachment 1)

Background

The applicant, Lina Al-Bassam, is seeking a zoning map amendment to convert from the 1972 Zoning Ordinance PD-IP designation to the Revised 1993 Zoning Ordinance PD-IP uses on a 1.92 acre site. The applicant has provided a concept development plan, dated December 4, 2008, from J 2 Engineers, Inc. and a statement of justification, dated January 26, 2009. The applicant has also provided traffic information, as developed by Loudoun County for the Route 28 corridor, which discusses the traffic impacts of different key land uses under the 1972 and 1993 Loudoun County Zoning Ordinances. This is included in Attachment 2.

Trip Generation Information

It is unclear from the application materials as to the specific amount of development being proposed. However, it is understood that the revised 1993 Zoning Ordinance allows up to 0.4 FAR which would yield 33,454 square feet of PD-IP from the proposed 1.92 acre site. Based on current ITE trip rates for light industrial, this would generate 50 a.m. peak hour, 116 p.m. peak hour and 148

daily vehicle trips. However, please note that the proposed specific uses are not yet understood by OTS.

Existing, Planned & Programmed Roads

Cascades Parkway is located on Cascades Parkway, a four lane, controlled access, median divided, major collector adjacent to the site. This road segment has a posted speed limit of 45 mph and includes median breaks, with separate left turn lanes. However, the median breaks do not provide direct access the site. The site currently has right in/right out access only. The Countywide Transportation Plan (CTP) (Attachment 3) calls for Cascades parkway to remain a controlled access, four-lane, divided arterial with a 90-foot right-of-way, a 40-mile per hour design speed, 600-foot desirable median crossover spacing and turn lanes at all intersections. Bicycle accommodations must be considered in the design and may require additional right-of-way.

Level-of-Service Information

The traffic information provided in Attachment 2 indicates that the Cascades Parkway/Nokes Boulevard intersection north of the site is currently operating at LOS C in both the a.m. and p.m. peak hours. It is projected to operate at LOS C in the a.m. peak hour and LOS D in the p.m. peak hour in the year 2010. Based on the latest available (2007)VDOT traffic count data, the segment of Cascades Parkway adjacent to the site carries 27,000 annual average daily vehicle trips which is within acceptable link level-of-service for a four lane divided facility.

Transportation Comments

1. The specific uses proposed with this application have not been detailed. OTS understands that these conversions typically don't involve a specified land use and that the Board wants to facilitate the conversions by not requiring detailed plans and studies. Therefore, OTS is not making specific observations and recommendations regarding traffic impacts for this proposed conversion.
2. The applicant's concept development plan is general and cannot be evaluated for specific transportation related improvements. For example, it is unclear how many site entrances are proposed onto Cascades Parkway and where they would be located. It is also unclear what site specific transportation related improvements would be needed. Since the existing site does not have direct access to a median break on Cascades Parkway, the applicant should coordinate

with the adjacent land owners north and south of the site to coordinate and obtain access where possible. This will help to minimize weaving and U-turn maneuvers for vehicles entering and exiting the site.

RECOMMENDATION

OTS understands that these conversions typically don't involve a specified land use and that the Board wants to facilitate the conversions by not requiring detailed plans and studies. Therefore, OTS is not making site specific recommendations regarding traffic impacts for this proposed conversion. Due to the general nature of this application, the Office of Transportation has no recommendation for this application.

GRP/D Drive/C Drive files/Lina Al-Bassam/ZRTD 2009-0002

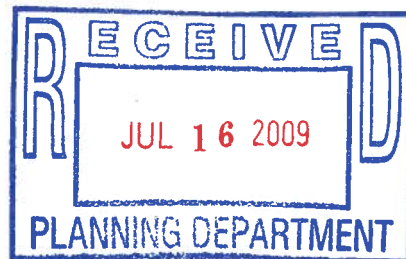


COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)



July 14, 2009

Ginny Rowen, Project Manager
County of Loudoun
Department of Planning
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000

Re: Lina Al-Bassam
Loudoun County Application Number ZRTD 2009-0002

Dear Ms. Rowen:

We have reviewed the above referenced application as requested in your June 24, 2009 transmittal, and we have no objection to approval of the Zoning Map Amendment subject to the following comment.

1. Inter parcel access should be considered concurrent with the development of this site, as direct access to Cascades Parkway will create u turn movements at the adjacent crossovers.

If you have any questions, please call me at (703) 383-2041.

Sincerely,

Thomas B. Walker
Senior Transportation Engineer

Important! The adopted Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated Feb 20, 2009 for the Application of
(enter date of affidavit)

LINA O. AL-BASSAM

(enter name(s) of Applicant(s))

in Application Number(s): ZRTD 2009
(enter Application number(s))

I, NAWAF AL-BASSAM, do hereby state that I am an

(check one) ☐ Applicant (must be listed in Paragraph B of the above-described affidavit)
☒ Applicant's Authorized Agent (must be listed in Paragraph B of the above-described affidavit)

and that to the best of my knowledge and belief, the following information is true:

(check one)

☒ I have reviewed the above-described affidavit, and the information contained therein is true and complete as of Aug 25 2009 (today's date); or

☐ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

- ☐ Paragraph C-1
- ☐ Paragraph C-2
- ☐ Paragraph C-3
- ☐ Paragraph C-4(a)
- ☐ Paragraph C-4(b)
- ☐ Paragraph C-4(c)

WITNESS the following signature: _____

(check one)

☐ Applicant

☒ Applicant's Authorized Agent

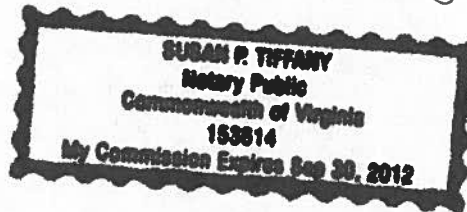
NAWAF O. AL-BASSAM

(Type or print first name, middle initial, last name and title of signee)

Subscribed and sworn to before me this 25th day of August, 2009
in the State/Commonwealth of Va., County/City of Loudoun.

Susan P. Tiffany
Notary Public

My Commission expires: September 2012



DATE AFFIDAVIT IS NOTARIZED: _____

Page B 1

APPLICATION NUMBER: _____

I, NAWAF A. BASSAM, do hereby state that I am an

☐ applicant

☒ applicant's authorized agent listed in Section B.1. below

in application Number(s): 2010 2009-0002

and that to the best of my knowledge and belief, the following information is true:

B. MANDATORY DISCLOSURES

1. NAMES AND ADDRESSES OF REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the foregoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application. Multiple relationships may be listed together. For multiple parcels, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)	RELATIONSHIP (listed in bold , above)
030103107	LINA A. BASSAM	8409 Brookewood Ct	OWNER
031402592		Mclean VA 22102	
	NAWAF A. BASSAM	PO BOX 1922	Authorized Agent
		Vienna VA 22182	Applicant
	JZ Engineers, Inc	Ridge 7030 INFANTRY Ridge Rd	Engineers
		Mannassas VA 20109	

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

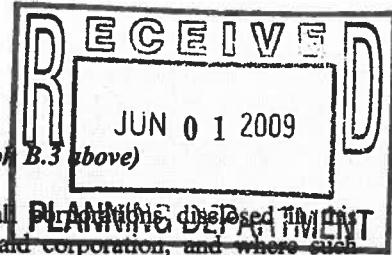
☐ Real Parties of Interest information is continued on an additional copy of page B-1

If multiple copies of this page are provided please indicate Page ____ of ____ pages.

Revised May 10, 2007

Attachment 2

A-12.1



2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

J2 Engineers, Inc.
7030 Infantry Ridge Road
Manassas, VA 20109

Description of Corporation:

☒ There are 100 or fewer shareholders and all shareholders are listed below.

☐ There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

☐ There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

☐ There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Jeffrey L. Gilliland	
James C. Bishoff	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☒ There is additional Corporation Information. See Attachment to Paragraph C-2.

DATE AFFIDAVIT IS NOTARIZED: _____

Page B 2

APPLICATION NUMBER: _____

2. NAMES OF CORPORATION SHAREHOLDERS

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Description of Corporation:

___ *There are 100 or fewer shareholders and all shareholders are listed below.*

___ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

___ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

___ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

___ Additional shareholder information is continued on an additional copy of page B-2

If multiple copies of this page are provided please indicate Page ___ of ___ pages.

DATE AFFIDAVIT IS NOTARIZED: _____

Page B 3

APPLICATION NUMBER: _____

3. **PARTNERSHIP INFORMATION**

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address (complete name, street address, city, state, zip)

___ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)

Check if applicable:

___ Additional Partnership information is included on an additional copy of page B-3.

4. One of the following options **must** be checked

___ In addition to the names listed in paragraphs B. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

___ Other than the names listed in B. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

___ Additional information for Item B. 3. is included on an additional copy of page B-3.

If multiple copies of this page are provided please indicate Page ____ of ____ pages.

DATE AFFIDAVIT IS NOTARIZED: _____

Page C 1

APPLICATION NUMBER: _____

C. VOLUNTARY DISCLOSURE

1. That no member of the Loudoun County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

2. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household and family, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 1% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$100 or more, singularly or in the aggregate with any of those listed in Section B, above.

EXCEPT AS FOLLOWS: (If none, so state).

3. The following constitutes a listing of names and addresses of all real parties in interest in the real estate which is the subject of this application, including the names and addresses of all persons who hold a beneficial interest in the subject property, who have, within five years of the application date, contributed, by gift or donation, more than one hundred dollars to any current member of the Board of Supervisors:

NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)

___ Additional County-Official information for Item C is included on an additional page C-1.

If multiple copies of this page are provided please indicate Page ____ of ____ pages.

Revised May 10, 2007

A-16

DATE AFFIDAVIT IS NOTARIZED: _____

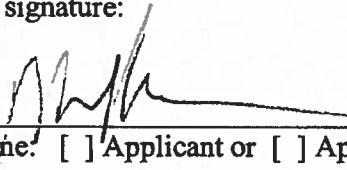
Page D 1

APPLICATION NUMBER: _____

D.

That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Section C. above, that arise on or after the date of this application.


WITNESS the following signature:



check one: ☐ Applicant or ☐ Applicant's Authorized Agent

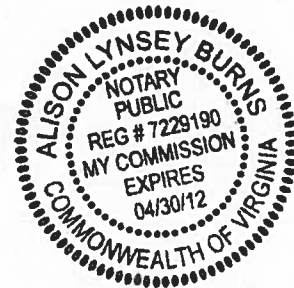
NAWAF OMAR AL-BASSAM
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 26 day of February 2009, in
the State/Commonwealth of VA, in the County/City of Loudoun



Notary Public

My Commission Expires: 4/30/2012



STATEMENT OF JUSTIFICATION

Rezoning of two PD-IP parcels from the 1972 Zoning Ordinance to the revised 1993 Zoning Ordinance

Tax Map 81-36A MCPI#031-40-2592

Tax Map 81-36B MCPI#030-10-3107

1.92 Acres

Jan-26-2009

Introduction

Nawaf Al-Bassam, the applicant (hereafter, the "applicant") and Lina Al-Bassam the Owner (hereafter, the "owner") of Loudoun County Tax Map 81-36A MCPI#031-40-2592 and 81-36B MCPI#030-10-3107 which comprises approximately 1.92 acres (hereafter the "property") of land zoned planned development-Industrial Park (hereafter, the "PD-IP") governed under the 1972 Loudoun County Zoning Ordinance (hereafter, the "1972 Zoning Ordinance"), is requesting a rezoning to PD-IP under the revised 1993 Loudoun County Zoning ordinance (hereafter, the "revised 1993 Zoning Ordinance"). The property is located at 21615 Cascades Pkwy. near the intersection Cascades Pkwy and Woodland Rd. in Sterling Va. It is approximately 1.92 acres and has a Building. (see attached Platt map)

Project Summary

The applicant is requesting this rezoning to allow for various undetermined uses, which are permitted by right in the revised 1993 Loudoun County Zoning Ordinance. The applicant is proposing this rezoning application in accordance with policies stated in the Loudoun County Revised General Plan (hereafter, the "Revised General Plan") that supports efforts to update properties from the 1972 Zoning Ordinance to the Revised 1993 Loudoun County Zoning Ordinance. This application also conforms to the Loudoun County Economic Development Commission's Strategic Plan to encourage more zoning conversions to the revised 1993 Zoning Ordinance in the Route 28 Transportation Improvement District. There are no definite changes to the property at this time.

Zoning Map Amendment Matters for Consideration

The following items are addressed in accordance with section 6-1211 (E) of the Revised 1993 Loudoun County Zoning Ordinance:

1. Conformance with the General Plan

Rezoning the property from the 1972 Zoning Ordinance to the Revised 1993 Loudoun County Zoning Ordinance complies with policies set forth in the Revised General Plan. The property is located in the suburban Policy Area and is planned for "keynote Employment" uses. The anticipated Revised 1993 Zoning Ordinance uses comply with the policies set forth in the Revised General Plan,

which identifies the need for high quality uses that complement the business developments of key note employment areas.

2. Changing conditions in the area

In recent years the Dulles Town Center area of the Route 28 Transportation Improvement District has undergone a development boom that has transformed into bustling retail, commercial and industrial crossroads. Developments such as Dulles Town Center, Dulles Crossroads, Cascades and Woodland Park have fueled this transformation and aided Loudoun County residents in infusing retail, employment and tax income growth into the county. The rezoning of the property to the Revised 1993 Loudoun County Zoning Ordinance will aid in this expansion and the continuing process of providing more opportunities for Loudoun County residents.

3. Economic viability under the current zoning

The permitted uses in the 1972 PD-IP zoning district do not appropriately reflect the wide range of economically viable options necessary to compete as a commercial/industrial use in 2009 and beyond. Through updated zoning districts, Loudoun County has evolved to offer a wider range of commercial and industrial options for its ever growing and diversifying population. A rezoning to the Revised 1993 Loudoun County Zoning Ordinance would reflect this reality and allow the Property to conform and thrive in a contemporary Loudoun County zoning districts. The outdated permitted uses of the 1972 PD-IP zoning district include (section 722.3.1 of the 1972 Zoning Ordinance):

- Agricultural, forestry, fisheries and commercial nurseries
- Research, experimental, testing and development activities
- Trans-shipment facilities
- The manufacture, processing, fabrication, assembly, and the distribution of products such as, but not limited to: scientific and precision instruments, photographic equipment, communication, computation equipment, drugs, medicines, pharmaceuticals, house hold appliances, toys, sporting and athletic goods, die-cut paperboard and cardboard, glass products made of purchased glass, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio and TV receiving sets, watches and clocks, bags and containers, sanitary paper products, optical goods, electrical machinery.

4. Consideration of tax base enlargement, economic development and business needs

The anticipated improvement of the Property rezoning will increase the assessed values and tax revenues within the Route 28 Transportation Improvement District and will assist in expediting the payment for construction of the remaining interchange enhancement along Route 28. The applicant needs to be able to actually rent and promote the land and have many uses for it to be able to afford the taxes of the Loudoun County on the commercial land. Through this proposed rezoning to the Revised 1993 Loudoun County Zoning Ordinance PD-IP permitted uses would expand and serve the business needs of both the applicant and the Loudoun County.

Conclusion

Rezoning the property from the 1972 Zoning Ordinance to the Revised 1993 Loudoun County Zoning Ordinance will benefit the government, residents and businesses of Loudoun County as well as the applicant. The proposed rezoning will update the County's zoning classification for the property as encouraged in the Revised General Plan.

To: Ginny Rowen Project Manager, Department of Planning
Marilee L. Seigfried, Deputy Zoning Administrator
John D. Kirby, Planner, Zoning Administration

CASE NUMBER AND NAME: ZRTD-2009-0002, Lina Al-Bassam

LCTM: /81/////////36A
/81/////////36B

MCPI: 031-40-2592-000
030-10-3107-000

RE: PLAN SUBMISSION NUMBER: 2nd Submission Dated Aug. 13 memo

Ginny Rowen,

We have fixed all the issues that you requested. Here are the areas requested:

ZONING COMMENTS:

A. OTHER ISSUES:

ZRTD Comments:

1. On sheet 3 of 3 provided the required yards for parking and buildings per section 5-900(A)(10).
2. On sheet 3 of 3 removed the 15 ft. side and rear yards, which provide an unnecessary, constraint on the property that will prohibit development.
3. On sheet 3 of 3 correct the zoning tabulation to reflect the setbacks per section 5-900.
4. Updated the plan date to reflect the current submission.

REVIEW OF PROFFER LANGUAGE

1. The proffers are complete; provided the notary information, owner warranty, and the signatures.
2. Provided the property description based on the MCPI numbers and remove references to the property address, as one parcel does not have a physical address.
3. Removed reference to the address in the title and provide the property description based on the MCPI numbers.
4. Corrected the title for the Pin numbers described in the proffer statement; MCIP is incorrect should be identified as MCPI.
5. The revised date on the plan needs to be updated to reflect the current submission and all references in the proffers should correspond to that plan revision date.
6. Provided consistent capitalization throughout the proffer statement when identifying application types. Currently, applications are referenced as "concept development Plan" and "concept development plan", "Zoning Map Amendment" and "zoning map amendment".
7. Under the "Concept Development Plan" heading of the Proffer Statement, revised the first sentence to state that the development of the property shall be in substantial conformance with sheets 1-3 of ZRTD-2009-0002.

DATE: Aug 4, 2009
TO: Ginny Rowen, Project Manager, Department Of Planning
CASE NUMBER AND NAME: ZRTD-2009-0002, Lina Al-Bassam
LCTM: /81////////36A
/81////////36B
MCPI: 031-40-2592-000
030-103107-000

We have fixed the following issues at your request:

Statement of Justification:

1. Identified the Zoning Ordinance as the Revised 1993 Loudoun County Zoning Ordinance, not the revised 1993 Zoning Ordinance, throughout the Statement of Justification and the Zoning Map Amendment Application.

ZRTD Comments:

1. The title updated to identify the application number (ZRTD-2009-0002).
2. On Sheet 1 of 3 updated general note 1 to include acreage and square footage for each lot.
3. On Sheet 3 included all existing elements such as entrances and buildings as part of the Concept Development Plan; include square footages.
4. On Sheet 3 identified all required yards and setbacks (parking & building) and include a note under tabulations identifying the yards and setbacks.
5. On sheets 2 and 3 included the adjacent land uses on each individual parcel.
6. On Sheet 3 accurately depicted the wetlands per Loudoun County mapping.

REVIEW OF PROFFER LANGUAGE

Proffers have been submitted with this application.

PROFFER STATEMENT

MCPI-031-40-2592-000

MCPI-030-10-3107-000

LINA AL-BASSAM

ZRTD 2009-0002

August 17, 2009

Lina Al-Bassam, the owner of the property (herein after referred to as the "owner") described in Loudoun County Tax Map 81-36A (MCPI-031-40-2592-000), and Loudoun County Tax Map 81-36B (MCPI-030-10-3107-000), on behalf of itself and its successors in interest, hereby voluntarily proffers that in the event that the above referenced property which includes 2 lots (the "Property") is rezoned by the Loudoun County Board of Supervisors (herein after referred to as "the County") to the PD-IP Planned Development-Industrial Park zoning district administered under the Revised 1993 Loudoun County Zoning Ordinance, as substantially set forth in the Concept Development Plan dated August 17, 2009, and further described in its application as "Zoning Map Amendment for Lina Al-Bassam ZRTD 2009-0002" sheets 1 through 3, the development of the property shall be in substantial conformance with the following conditions, pursuant to Section 15.2-2303 of the CODE OF VIRGINIA (1950) as amended. These proffer conditions are the only conditions offered on this rezoning, and any prior proffer conditions applicable to the property are hereby declared void and of no effect provided that these proffers shall become effective only upon final approval of the Zoning Map Amendment application, ZRTD 2009-0002, to change the zoning of the property from PD-IP under the 1972 Loudoun County Zoning Ordinance to PD-IP under the Revised 1993 Loudoun County Zoning Ordinance, submitted by the owner.

CONCEPT DEVELOPMENT PLAN

The development of the property shall be in substantial conformance with sheets 1-3 of ZRTD 2009-0002 dated August 17, 2009, prepared by J2 ENGINEERS. It shall control the general development, layout and configuration of the property, provided that all requirements and use limitations of the PD-IP zoning district of the Revised 1993 Loudoun County Zoning Ordinance must be complied with and will take precedence over the concept development a Plan.

The undersigned hereby warrants that all the owners of any legal interest of the Property have signed the foregoing proffer statement, that he/she has full authority to bind the Property to these conditions, either individually or jointly with the other owners attaching their signatures hereto, and that the foregoing proffers are entered into voluntarily.

Lina Al-Bassam

Signature

Name: _____

Title: _____

Date: _____

County of Fairfax, Loudoun, Commonwealth of Virginia

I, the undersigned notary public, in and for the state and city/county aforesaid, do hereby certify that _____, whose name is signed to the foregoing instrument, has acknowledged the same before me.

Subscribed and sworn to before me this _____ day of _____, 2009.

My Commission Expires:

Notary Public

Notary Registration #: _____